SINGLE BENCH

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# IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

**W. P. (S) No. 977 / 2007**

**PETITIONER** : Chatrapal Singh Kanwar, S/o. Shri Rupsingh Singh Kanwar, aged about 43 years, Working as Assistant Teacher, Govt. Primary School - Mudiyanar, Distt. - Korba (C.G.)

F.I. No. 12347
Presented by Shri Amit Sharma
dated 12/12/07

**VERSUS**

**RESPONDENTS**

1. State of Chhattisgarh Through The Secretary Department of School Education D.K.S. Bhawan, Mantralaya Raipur (C.G.)
2. The District Education Officer, Distt. - Blaspur(C.G.)
3. Assistant Commissioner, Tribal Welfare Department Korba (C.G.)
4. Block Education Officer, Block - Korba, Kartala, Katghora Distt. - Korbc (C.G.)

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WRIT PETITION UNDER ARTICLE 226 OF THE

CONSTITUTION OF INDIA

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**HIGH COURT OF CHHATTISGARH AT BILASPUR**

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**SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.**

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**WRIT PETITION (S.) NO.977 OF 2007**

Petitioner : Chatrapal Singh Kanwar

versus

Respondents : State of Chhattisgarh and others

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Present : Mr. Amit Sharma, counsel for the petitioner.
Ms. Deepali Pandey, Panel Lawyer for the State/ respondents.

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**ORDER**

(Passed on 20th Day of February, 2007)

Learned counsel appearing for the petitioner submits that the petitioner is working as Assistant Teacher in Government Primary School, Mudiyanar, District Korba. The petitioner has obtained B.Ed. Examination certificate on 21-1-1993, at his own expenses.

2. Learned counsel appearing for the petitioner submits that the question involved herein as to whether the teacher, who obtained B.Ed. Examination certificate at his own expenses, is entitled to two advance increments.

3. According to learned counsel appearing for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** **vs.** ***Municipal Corporation, Durg and another***[1], wherein it has been held

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that the teachers, having obtained B.Ed., M.Ed., B.T.I. Certificates, at their own expenses, are covered by the circular dated 24-12-1998 issued by the State Government of Madhya Pradesh.

4. Learned counsel appearing for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** **vs.** ***Municipal Corporation, Durg and another*** (supra), to which learned counsel appearing for the State/respondents fairly concedes and agrees with the averments made by learned counsel appearing for the petitioner.

5. Accordingly, the writ petition is allowed in terms of the decision of this Court in the matter of ***Yashwant Kumar Bharadwaj*** **vs.** ***Municipal Corporation, Durg and another*** (supra), subject to verification of the fact as to whether the petitioner has acquired B.Ed. Certificate at his own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether he has been paid two advance increments or not. No order as to costs.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

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Gopal